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DOE FOR GEORGE PERSON

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TAGS: [PREL](#) [PGOV](#) [CM](#) [NI](#)
SUBJECT: NIGERIA: BAKASSI INHABITANTS SUE FEDERAL
GOVERNMENT

REF: A. 07 ABUJA 2513
[1](#)B. 07 ABUJA 2437

Classified By: Political Counselor Walter Pflaumer for reasons 1.4. (b
& d).

[1](#)1. (U) On Friday, April 25, the Federal High Court in Abuja will rule on a class action suit brought against the GON by eight Bakassi Peninsula inhabitants seeking \$3.8 billion (456 billion naira) in compensation for compulsory ceding of their land and infringement of their human rights. According to press reports, the plaintiffs also seek a court injunction to stop the GON from ceding the remaining two areas of Bakassi that are scheduled to transfer to Cameroon August 11, 2008, restrain the GON from relocating the Bakassi administrative headquarters, and stop the GON from remitting funds due to Bakassi Local Government Area to Cross River State (which is where "New Bakassi" is located). The plaintiffs, who include former chairmen of the Bakassi Local Government Chief Emmanuel Etene and Ani Esin, filed the suit against President Yar'Adua, the National Assembly, the Attorney-General, the Governor of Cross Rivers State, and the Cross Rivers State House of Assembly.

[1](#)2. (U) Currently the Bakassi Peninsula inhabitants have three citizenship/legal resident options laid out in the Greentree Agreement (which establishes the modalities for handing the territory over to Cameroon): become Cameroonian citizens, remain Nigerian citizens but legal residents of Cameroon, or relocate to "New Bakassi" in Ikang, Cross River State. Many Bakassi inhabitants feel there is no choice at all and contend Ikang is not a suitable area in which to live due to its lack of infrastructure, particularly roads. The complainants further argue the area is landlocked, denying them their livelihoods as fishermen. Most seriously, they allege that the proposed resettlement area of Ikang will not be safe because of ethnic tensions with the people already living in the area. They also express fear about becoming a minority in a predominantly Francophone country. Bakassi residents assert that the Cameroon government will exploit them with undue taxes, and otherwise treat them unjustly (Comment: actions explicitly ruled out in the Greentree Agreement. End comment).

[1](#)3. (C) House of Representatives Member from Cross River State John Owan-Enoh (protect) conceded that neither the federal government nor the Cross Rivers State government have done enough to assist the Bakassians' resettlement. He attributed

Cross Rivers' inability to develop a habitable area to a lack of promised funding from the federal government. However, Owan-Enoh challenged the Bakassians' fears of ethnic conflict upon resettlement, arguing that the plaintiffs are using this as an excuse because they are angry at losing their ancestral land (and titles associated with it). Although he would not speculate on the outcome of the compensatory aspect of the suit, he was confident that the courts would not attempt to stop the ceding of the territory to Cameroon. He further dismissed any suggestion that the GON might try to back out of the Greentree Agreement, noting that Nigeria is bound by the International Court of Justice (ICJ) ruling, and that the National Assembly and judiciary would not challenge this.

14. (C) COMMENT: Owan-Enoh was honest about the lack of assistance to the Bakassi people; however, it is difficult to believe that resettling a large population onto an area that already lacks infrastructure, clean water and resources will not lead to tensions with those already there. Owan-Enoh is, however, almost certainly right that the court will not, in the end, contradict the Greentree Agreement by granting the requested injunctions, though it may agree to hear the case and perhaps reopen the question of increasing compensation for the Bakassians. END COMMENT.
SANDERS